



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** SUSU12-00054 Alderete Court  
**Application Type:** Major Combination  
**CPC Hearing Date:** June 28, 2012  
**Staff Planner:** Nathaniel Baker, (915) 541-4192, [bakernt@elpasotexas.gov](mailto:bakernt@elpasotexas.gov)  
**Location:** North of Alameda Avenue and east of Zaragoza Road  
**Acreage:** 0.3 acre  
**Rep District:** 6  
**Existing Use:** Vacant Lot  
**Existing Zoning:** R-4/H (Residential/Historic)  
**Proposed Zoning:** R-4/H (Residential/Historic)  
**Nearest Park:** Pueblo Viejo Park (0.1 Mile)  
**Nearest School:** Robert F. Kennedy Pre-Kindergarten (0.5 Miles)  
**Park Fees Required:** \$1,370  
**Impact Fee Area:** N/A  
**Property Owner:** Juan Alderete Jr.  
**Applicant:** CAD Consulting Company  
**Representative:** CAD Consulting Company

### **SURROUNDING ZONING AND LAND USE**

**North:** R-4 (Residential) / Residential Neighborhood  
**South:** R-4/H (Residential/Historic) / Residential Neighborhood  
**East:** R-4/H (Residential/Historic) / Residential Neighborhood  
**West:** R-4/H (Residential/Historic) / Residential Neighborhood

**PLAN EL PASO DESIGNATION:** Post-War

### **APPLICATION DESCRIPTION**

The applicant proposes to subdivide approximately 1/3 acre of land for a single-family residential lot. Access is proposed from Candelaria Street. This subdivision is being reviewed under the current subdivision code.

The applicant is requesting the following exceptions and waivers:

- An exception for a panhandle per Section 19.23.040.C
- An exception for a panhandle in excess of 100 feet in length per Section 19.23.040.C
- An exception for a panhandle with a width of fewer than 12 feet per Section 19.48.030
- A waiver of additional dedication and improvements per Section 19.10.050.A.1

## **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of the three exception requests for a panhandle lot, approval of the waiver request for roadway improvements, and **approval** of Alderete Court on a Major Combination basis subject to the following comments:

An exception for a panhandle lot and an exception for a panhandle lot in excess of 100 feet are allowed per Section 19.23.040.C of the subdivision code in effect as of June 1, 2008. The section states that “panhandle lots shall be discouraged in residential areas except when, due to unique parcel configuration it is the only way to develop the property, and it shall be considered an exception.” Additionally, for residential uses,

*The maximum length of the panhandle shall be one hundred feet. The minimum width of the panhandle shall be twelve feet to serve one dwelling unit.... In the event that a property cannot be developed whatsoever without an exception being granted by the city plan commission to allow a panhandle exceeding one hundred feet, any buildings served by such panhandle will be required by the fire marshall to be sprinklered and have a hard wired alarm system. A note shall be added to the recording plat and the subdivision improvement plans indicating whether buildings are required to be sprinklered within the subdivision, and which lot numbers have such requirement.*

The exception for a panhandle with a width of less than twelve feet is justified per Section 19.48.030 of the code which reads:

*A. The following criteria shall be applied in deciding a waiver or exception:*

- 1. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land such that the strict application of the provisions of this title to the proposed use would create an unnecessary hardship or inequity upon or for the applicant, as distinguished from a mere inconvenience, in developing the land or deprive the applicant of the reasonable and beneficial use of the land;*
- 2. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the applicant's land;*
- 3. The waiver or exception is necessary for the preservation and enjoyment of a substantial property right of the applicant;*
- 4. Granting the waiver or exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;*
- 5. Granting the waiver or exception will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this title, or adversely affect the rights of owners or residents of surrounding property;*
- 6. The hardship or inequity is not caused wholly or in substantial part by the applicant;*
- 7. The request for a waiver or exception is not based exclusively on the applicant's desire for increased financial gain from the property, or to reduce an existing financial hardship; and*
- 8. The degree of variation requested is the minimum amount necessary to meet the needs of applicant and to satisfy the standards in this title.*

Staff concurs that all of these criteria have been met.

The waiver request complies with 19.10.050(A)1 of the subdivision code. The City Plan

Commission may waive the requirement to dedicate and improve the substandard right-of-way if any of the following factors are met

- a. *Fifty per cent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood and have sufficient capacity to handle the increase in traffic to be generated by the proposed development; or,*
- b. *The plat is located within the City of El Paso's Extraterritorial Jurisdiction area, is not within the city's annexation path and written documentation from the County of El Paso has been received stating that the substandard road meets all County requirements and the County is willing to accept the dedication of the substandard road;*
- c. *For all plats located in the City of El Paso's Extraterritorial Jurisdiction area, written concurrence from the County of El Paso is required prior to the waiver of any dedication and/or improvements.*

Staff concurs that factor (a) has been met.

### **Planning Division Recommendation**

Planning recommends **approval** of Alderete Court with the three exceptions and the waiver.

### **City Development Department - Land Development**

No objection

### **Planning – Transportation**

1. Cross-section for Candelaria Road does not comply with Section 19.15.060.a (Design Standards for Construction Standards Met) of the El Paso City Code.
  - a. The proposed subdivision complies with the waiver requirements of Section 19.10.050.A.1.a (Roadway Participation) which allows for a waiver of the additional dedication and improvements required to bring Candelaria Road up to current development standards.
2. Panhandle lots are not allowed as per Section 19.23.040.C. (Flag or Panhandle lots).
3. Location of driveway does not comply with Section 13.12 (Driveways) of the El Paso Municipal Code and does not comply with the Design Standards for Construction.

### **Note:**

All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

### **Parks and Recreation Department**

Please note that this subdivision is zoned "R-4H" thus meeting the requirements for Single-family & Two-family dwelling use however, applicant has submitted preliminary covenants restricting the use for Single-family purposes, therefore, applicant shall be required to pay "Park fees" in the amount of **\$1,370.00** based on the following calculations:

1 (R-4) lot restricted to one Single-family dwelling @ \$1,370.00 / Dwelling = **\$1,370.00**

Please allocate funds under Park Zone: **MV-6**

Nearest Parks: **Pueblo Viejo** & **Ysleta Pedestrian Plaza**

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be

re-assessed based on applicable conditions.

### **El Paso Water Utilities**

1. EPWU requires for the plat to show the existing 10-foot utility easement within Tract 22 (Doc#94-57993) that accommodates the private water and sewer service lines for Tract 18B (9064 Cana Avenue) and Tract 18A (9060 Cana Avenue).
2. Existing water meters may need to be relocated to the Candelaria right-of-way and outside of vehicular path of travel.

### **EPWU-PSB Comments**

#### **Water:**

3. There is an existing 6-inch diameter water main along Candelaria Street.
4. Previous water pressure readings from fire hydrant #863 located on San Fernando, 50-feet east of Candelaria Street have yield a static pressure of 92 pounds per square inch (psi), a residual pressure of 76 psi, and a discharge of 1061 gallons per minute.
5. The Owner should, for his own protection and at his own expense, install at the discharge side of the water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

#### **Sanitary Sewer:**

6. There is an existing 8-inch diameter sanitary sewer main along Candelaria Street.

#### **General:**

7. EPWU requires a new service application to serve the subject subdivision. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

### **PWU Stormwater Division**

1. EPWU recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

### **Sun Metro**

Sun Metro recommends the placement of sidewalks and ADA compliant improvements throughout the development to City standards to provide pedestrian accessibility to mass transit services.

### **El Paso Fire Department**

No comments received.

### **911**

No comments received.

**Central Appraisal District**

No comments received.

**El Paso Electric Company**

No comments received.

**Texas Gas Company**

No comments received.

**Socorro Independent School District**

No comments received.

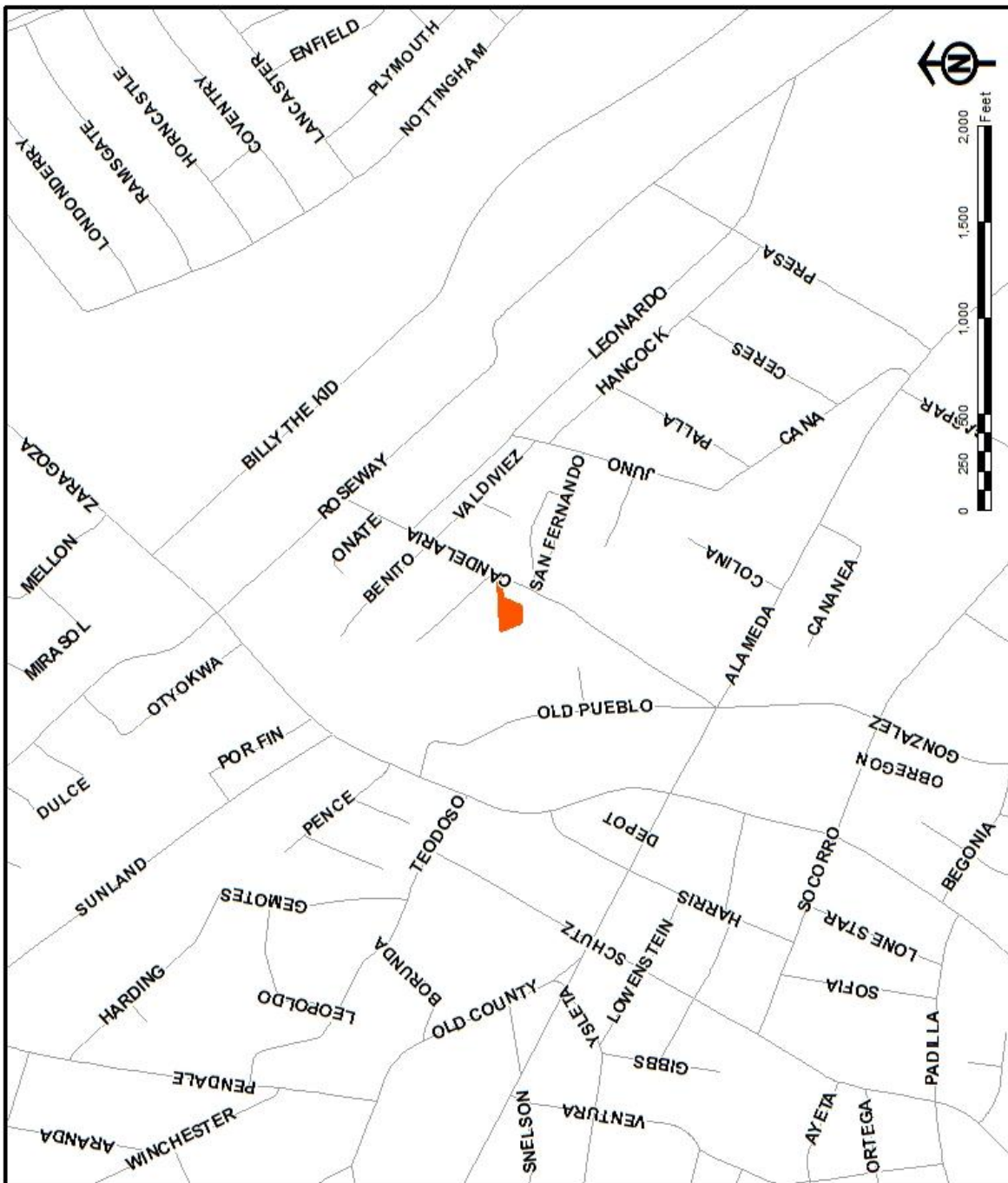
**Additional Requirements and General Comments:**

1. Submit to the City Development Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

**Attachments**

1. Location map
2. Aerial map
3. Preliminary Plat
4. Final Plat
5. Application

## ATTACHMENT 1



Alderete Court

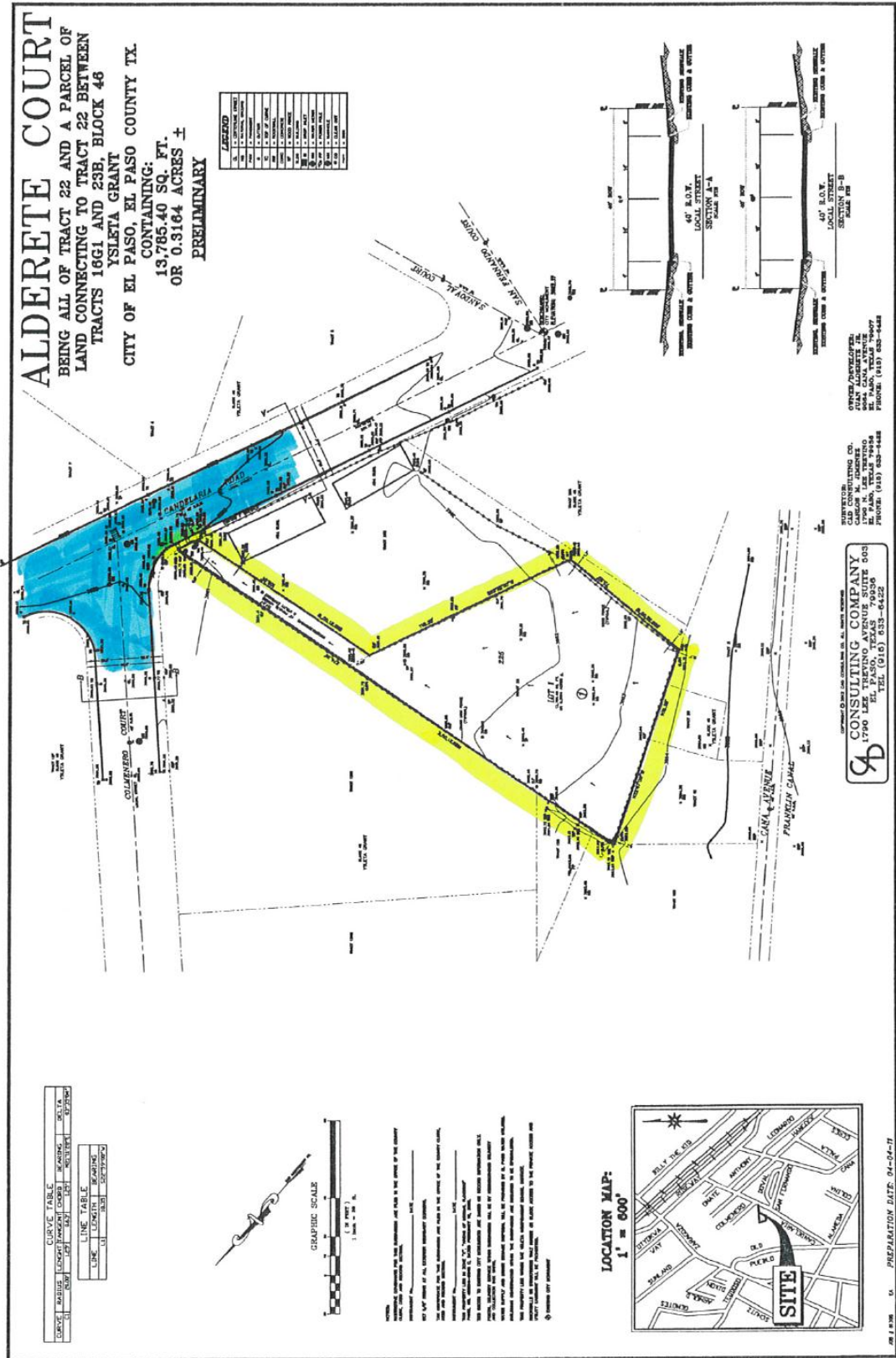


ATTACHMENT 2



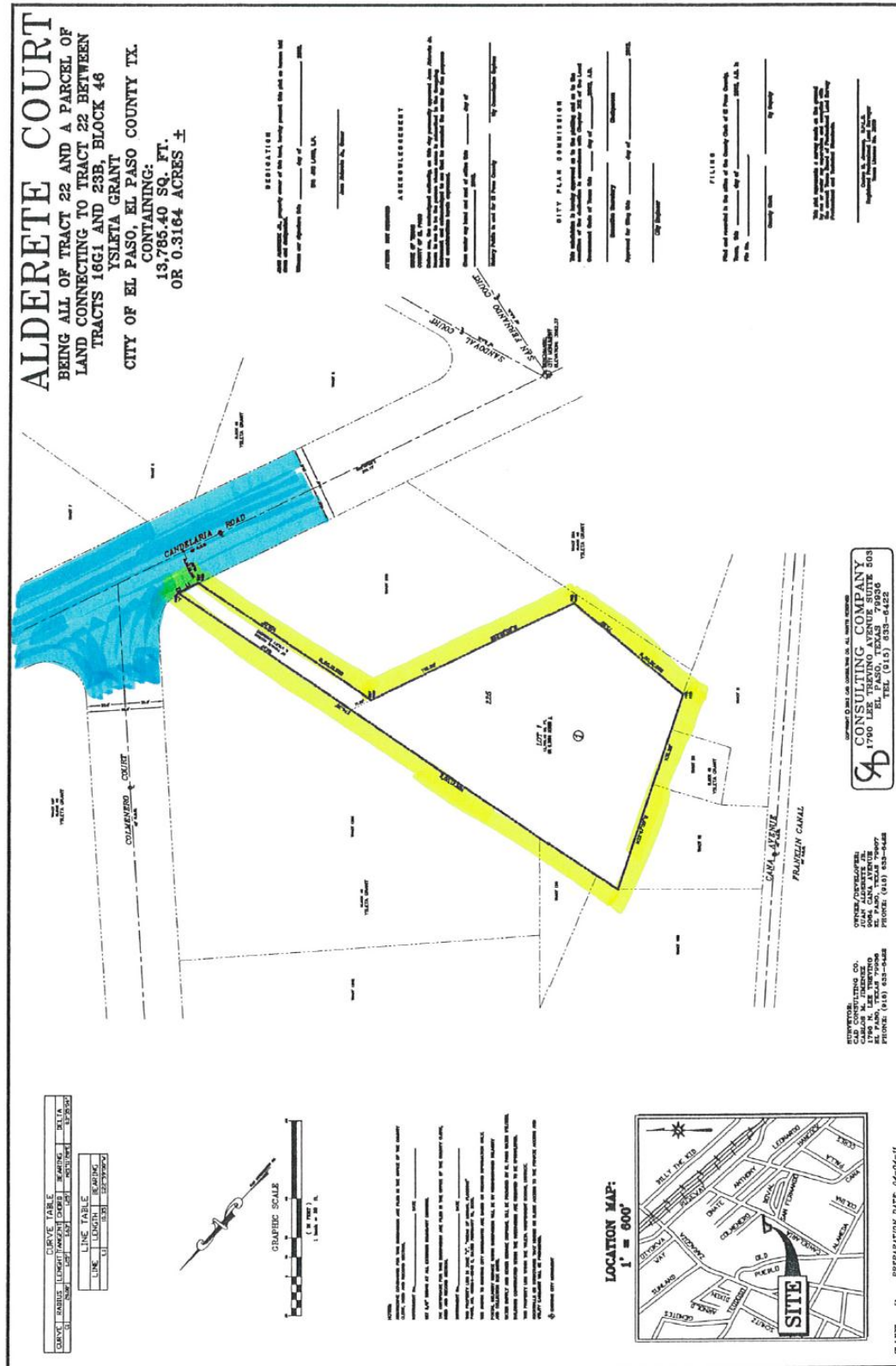
Alderete Court

# ATTACHMENT 3





## ATTACHMENT 4



## ATTACHMENT 5



### CITY PLAN COMMISSION APPLICATION FOR MAJOR SUBDIVISION COMBINATION APPROVAL

DATE: \_\_\_\_\_ FILE NO. SUSU12-00054  
SUBDIVISION NAME: ALDENETH COURT

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
TRACT 22 AND A PARCEL OF LAND CONNECTING TO  
TRACT 22 BETWEEN TRACTS 1661 AND 23B, BLOCK 46  
YSLETA GRANT

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	<u>0.3164</u>	<u>1</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	Total No. Sites	_____	<u>1</u>
Commercial	_____	_____	Total (Gross) Acreage	<u>0.3164</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? R4 Proposed zoning? \_\_\_\_\_
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes ☒ No \_\_\_\_\_
5. What type of utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both \_\_\_\_\_
6. What type of drainage is proposed? (If applicable, list more than one) \_\_\_\_\_
7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No ☒
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes ☒ No \_\_\_\_\_  
If answer is "Yes", please explain the nature of the modification or exception \_\_\_\_\_
9. Remarks and/or explanation of special circumstances: \_\_\_\_\_
10. Improvement Plans submitted? Yes \_\_\_\_\_ No ☒
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes \_\_\_\_\_ No ☒  
If yes, please submit a vested rights petition in accordance with Section 19.47- Vested Rights (See Attached).

12. Owner of record JUAN ALDERETE JR. 920-5304  
(Name & Address) (Zip) (Phone)
13. Developer \_\_\_\_\_  
(Name & Address) (Zip) (Phone)
14. Engineer CAO CONSULTING CO. 633-6422  
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION  
FEE: \$2,088.00

OWNER SIGNATURE: \_\_\_\_\_

REPRESENTATIVE: \_\_\_\_\_

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.